IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 11856 of 2007(J)

PETITIONER:

BIBU PETER,S/O.PETER,MULLAPPALLIL HOUSE,
RAJAGIRI,KANNIYAYAL,PULINGOME VILLAGE.

BY ADV. SRI.M.THAMBAN
SMT.T.SUDHAMANI

RESPONDENTS:

---

1. THE STATION HOUSE OFFICER,CHITTARIKKAL
POLICE STATION.

2. THE ASSISTANT EXCISE COMMISSIONER,
KASARGOD.

BY GOVERNMENT PLEADER SIR. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J

W.P.(C)NO.11856 of 2007

Dated this the 12th day of April, 2007

JUDGMENT

The petitioner is the owner of a vehicle bearing Reg.No. KL-13M/782. The vehicle was seized on an allegation of commission of an abkari offence using the said vehicle. Confiscation proceedings are in progress. The petitioner seeks interim custody of the vehicle pending finalisation of the confiscation proceedings. The learned Government Pleader submits that the vehicle can be released in terms of Rule 4(2)(a) of Abkari (Disposal of Confiscated Articles) Rules 1996. Accordingly, I direct the respondents to release the above said vehicle to the petitioner, in accordance with Rule 4(2)(a) of the Abkari (Disposal of Confiscated Articles) Rules 1996, within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S.SIRI JAGAN, JUDGE

css